

SENATE BILL 2681
By Kyle

AN ACT to amend Tennessee Code Annotated, Title 7, Chapter 52, Part 4, relative to the scope of authority of municipal electric power systems.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 7-52-406, is amended by deleting subsection (b) in its entirety and by substituting instead the following:

(b) Nothing in this part or any private act, charter, metropolitan charter, or amendments thereto shall allow a municipality, county, metropolitan government, department, board, or other entity of local government to provide any service for which a license, certification, or registration is required under Title 62, Chapter 32, Part 3, or to provide pager services.

SECTION 2. Tennessee Code Annotated, Title 7, Chapter 52, Part 4, is amended by adding the following as a new section thereto;

Section _____. Every municipality operating an electric plant described in Section 7-52-401 has the power and is authorized on behalf of its municipality acting through the authorization of the board or supervisory body having responsibility for the municipal electric plant to acquire, construct, own, improve, operate, lease, maintain, sell, mortgage, pledge or otherwise dispose of any system, plant, or equipment for the provision of cable service, two-way video transmission, video programming, Internet access, Internet service, or any other like system, plant, or equipment within and/or

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without the corporate or county limits of such municipality, and, with the consent of such other municipality, within the corporate or county limits of any other municipality. A municipality shall only be authorized to provide cable service, two-way, video transmission, video programming, Internet access or other like service through its board or supervisory body having responsibility for the municipality's electric plant. A municipality providing any of the services authorized by this section may not dispose of all or substantially all of the system, plant and equipment used to provide such services except upon compliance with the procedures set forth in Section 7-52-132.

SECTION 3. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to the end the provisions of this act are declared to be severable.

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.